

REMARKS

The present response is submitted in response to the Notice of Non-Compliant Amendment dated May 21, 2004, issued in response to the Applicant's amendment filed October 28, 2003. That amendment was submitted in response to the Office Action dated August 29, 2003, which set a three-month period for response, making that amendment due by November 29, 2003.

Claims 21-31 are pending in this application.

In the Office Action, the abstract of the disclosure was objected to for informalities. Claims 10-13, 17, 18, and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,550,424 to Jennrich et al in view of GB 2,054,738 to John, cited by the Applicants. Claims 14-15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Jennrich et al in view of John as applied to claim 12, and further in view of U.S. Patent No. 4,967,116 to Oshima, cited by the Applicants. Claim 16 was rejected under 35 U.S.C. 103(a) as being unpatentable over Jennrich et al in view of John, as applied to claim 10, and further in view of U.S. Patent No. 4,297,405 to Kasahara et al.

The Applicants note with appreciation the indicated allowability of claim 19, if rewritten in independent form to include the limitations of the base claim and any intervening claims.

In this response, the "Amendments to the Claims" section now indicates the cancellation of claims 1-20 and the addition of new claims 21-31.

In the present amendment, the abstract has been amended to delete the objected to terms.

New claim 21 includes the features of original claim 10, but adds that the ignition device additionally can be formed as a glow plug for a Diesel engine. In the Office Action, the Examiner states that the Jennrich reference discloses an ignition device comprising electrical connection means, a tubular metal housing with a screwed-in thread stamped onto it, at least one of the metal components of the ignition device being at least in part provided with an anti-corrosion means in the form of a lacquer.

Jennrich does not disclose the anti-corrosion means in the form of a paint. However, the reference to John also does not disclose any paint as an anti-corrosion means to protect a spark plug. John only discloses the use of an enamel paint applied to the annular region of the metallic body. The fact that John only protects the annular region of the metallic body is an indication that John never contemplated protecting the metallic surface of metallic components of the spark plug by anti-corrosion means. In that case, John would have provided a paint to the whole surface of the metal housing.

New claim 22 includes the features of original claim 10 and adds the additional feature that the metal components are provided only on their outsides with an anti-corrosion means. Jennrich teaches only protecting the interior of the metal components by a paint, and John does not teach any anti-corrosion means at all.

In addition, new claim 23 has been added, which includes the features of original claims 10 and 12. While the Examiner states that the fact that John discloses a housing or metallic body 11 is *per se* readable as forming a metallic body including a metallic layer, the Applicants respectfully disagree. John does not disclose any metallic component of a spark plug having a metalizing layer.

The mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification. *In re Fritch*, 23 USPQ 2d 1780, 1783-84 (Fed. Cir. 1992). Further, there must be some reason, suggestion, or motivation found in the prior art, whereby a person of ordinary skill in the field of the invention would make the combination. That knowledge cannot come from the applicant's invention itself. *In re Oetiker*, 24 USPQ 3d 1443, 1446 (Fed. Cir. 1992).

Thus, the Applicants submit that new independent claims 20-23 are patentable over the cited reference combinations based on the standards cited above.

New claims 24-28 include features of the dependent claims as originally filed.

New claim 29 is allowable claim 19, rewritten in independent form, and new claims 30 and 31 depend from claim 29.


For the reasons set forth above, the Applicants therefore respectfully submit that new claims 21-31 are patentable over the art of record. The

Applicant further request withdrawal of the rejection under 35 U.S.C. 103 and reconsideration of the claims as herein amended.

In light of the foregoing arguments in support of patentability, the Applicants respectfully submit that this application stands in condition for allowance. Action to this end is courteously solicited.

Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,



Michael J. Striker
Attorney for Applicant
Reg. No.: 27233
103 East Neck Road
Huntington, New York 11743
631-549-4700